

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 04-C-0927

APPROXIMATELY \$3,881.00 IN
UNITED STATES CURRENCY,
APPROXIMATELY \$4,555.65 IN
UNITED STATES CURRENCY,

Defendants.

ORDER DISMISSING MOTION TO COMPEL AS MOOT,
GRANTING MOTION FOR EXTENSION OF TIME AND
SETTING TRIAL DATE

This matter came before the court on May 13, 2005, for a status conference. Assistant U. S. Attorney Lisa Wesley appeared on behalf of the plaintiff and Attorney Michael Hart appeared on behalf of the claimant, Alexander Fenn. According to Assistant U. S. Attorney Wesley, the claimant has provided discovery responses since the filing of the motion to compel thereby making the motion moot. She added that the parties are attempting to resolve this matter, but only after she has reviewed Fenn's responses. In addition, Wesley advised that it will take no more than one day for the government to present its case. Attorney Hart apologized for failing to respond timely to the governments discovery demands and stated that the claimant had to prepare certain tax returns in order to respond as requested.

In view of the foregoing,

IT IS ORDERED that the government's Rule 7.4 motion to compel discovery is dismissed as moot.

IT IS FURTHER ORDERED that the motion for extension of time is granted. Discovery shall be completed May 27, 2005.

IT IS FURTHER ORDERED that this case be tried before the court commencing 8:30 a.m. July 28, 2005.

Dated at Milwaukee, Wisconsin, this 13th day of May, 2005.

BY THE COURT

s/ C. N. Clevert, Jr.
C. N. CLEVERT, JR.
U. S. District Judge